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To: Microsoft ATR
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Subject: Microsoft Settlement

I am disappointed that our Justice Department and legal system appear to be selling out to corporate influence including lobbyists and corporate funded politicians. This is contrary to the freedom to succeed and fail required for the survival of our great competitive capitalist system.

There is no end in sight to this quagmire. Only the Justice Department can lead the country out of this nightmare. Please consider the Justice Department resources wasted to date and future resources required as this political nightmare drags out over the next 10 years.

The nonsense of the basic arguments supported by the Justice Department defy reason:

1. Microsoft is harming consumers by over charging for Windows: The facts prove that Windows is successful because it continues to be the least expensive operating system and provides more capability from the customers perspective.

2. Microsoft is harming consumers by adding new features to Windows: Successive Windows releases continue to add more features without increasing the price. Case in point, less than 7 years ago consumers purchased DOS, Windows, dial-up communications software, Internet Protocol communications software, disk management software, Internet browser software, word processing software, email client software, data exchange software, ... Everyone agrees that these separate software packages cost thousands of dollars and were very difficult to install and use. Microsoft customers demanded Microsoft add these capabilities fully integrated with Windows, bug free, and without increasing the price. Does the Justice Department dispute the fact the Microsoft's customers demanded these capabilities?

Continuous innovation is essential for the survival of many industries. Imagine purchasing a new car then after you drove it home installing a 3rd party trunk, radio, CD changer, speaker system, carpet, 16" high tech wheels, air conditioning, ... If our auto industry stops innovating for just a couple of years Americans will buy all their cars from Asia and Europe. If the Justice Department slows the innovation of our software industry for the next several years Americans will buy all their software from Asia and Europe.

3. Microsoft's Windows platform is not open to competition. SUN and Apple force their customers to purchase their proprietary operating systems and hardware. Their hardware is not open to competitive operating systems. Their software will not run on competitive hardware. They charge consumers more for their products than Microsoft. Their platforms are not open to competition. This is one of the top 3 root causes of Sun's and Apple's failure in the marketplace.

For example SUN and Apple do not allow 3rd parties to develop video accelerator cards for their platforms. There are over 10 companies that sell video accelerator cards for the Windows platform. The prices of these cards range from \$80 to \$350. The top end cards are extremely profitable and cost much more than Windows. Microsoft encourages and helps 3rd party software and hardware developers create new products for the Windows platform. The market for Windows platform 3rd party hardware and software is over \$100 billion. This accomplishment is unparalleled by any other company or industry.

Summary

Microsoft does not control technology, they are just one of the world's leading companies and will fail when they slow innovation. A good analogy is that Microsoft is riding the waves of technology. The waves of technology are controlled by nature, not companies or countries. Microsoft is in a very precarious position. When Microsoft loses customer focus, agility, or vision they will wipe-out off the latest wave or miss the next wave.

Our innovative technology industry will fail if the Justice Department continues to siphon its momentum. Companies that focus on the Justice Department instead their customers are doomed to failure. As the Justice Department continues down this path Intel, Dell and every successful high technology company will be in its sights.

The Justice Department is afraid to dismiss this case and address the real threats to our great country. The Justice Department's failure to demonstrate the leadership required to do what is right is forcing every American to pay a high price.

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